

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: NARUMI, et al. Examiner: V. T. Pham  
Serial No.: 10/511931 Group Art Unit: 2627  
Filed: October 18, 2004 Docket: 10873.1565USWO  
Title: OPTICAL INFORMATION RECORDING METHOD, OPTICAL INFORMATION RECORDING DEVICE AND OPTICAL INFORMATION RECORDING MEDIUM

CERTIFICATE OF TRANSMISSION

I hereby certify that the papers listed below are being transmitted by EFS Web to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 8, 2008.

By: *Peggy Kirkhove*  
Name: Peggy Kirkhove

INFORMATION DISCLOSURE STATEMENT

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. The references were recently cited in a Supplementary European Search Report mailed March 6, 2008. A copy of the search report is enclosed. EP 1 170 731 and US 6,101,159, which corresponds to EP 0 986 054, were previously cited in an IDS filed December 22, 2004. Copies of any foreign patent documents or "Other Documents" are enclosed.

US 7,193,948 is an English equivalent of WO 02/29791.

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

- (1) within three (3) months of the Filing Date, before the mailing date of a First Office Action on the merits, or before the mailing date of a First Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. §1.114; or
- (2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and
  - the requisite Statement is below, OR
  - the requisite fee of \$180.00 under Rule 1.17(p) is included herein, or

- (3) after the mailing date of a Final Rejection or Notice of Allowance but on or before the payment of the Issue Fee, AND the requisite Statement is below AND the requisite fee of \$180.00 under Rule 1.17(p) is included herein.

### **STATEMENT**

Applicants hereby state that:

- Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application or by the USPTO in a related application not more than three months prior to the filing date of the Information Disclosure Statement
- If this box is checked, Applicant provides the following:

#### **Certification Under 37 C.F.R. §1.704(d)**

In accordance with 37 C.F.R. §1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

- The Examiner is hereby advised of the following co-pending U.S. applications. A copy of each U.S. patent application publication (if published) or application (if not published) is enclosed.

Application No.

Filing Date

Group

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

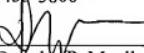
**FEE AUTHORIZATION**

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 50-3478. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,

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Dated: July 8, 2008

By:   
Douglas P. Mueller  
Reg. No. 30,300

DPM/pjk

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